

**ODISHA ELECTRICITY REGULATORY COMMISSION
BIDYUT NIYAMAK BHAWAN
PLOT NO.-4, CHUNUKOLI, SHAILASHREE VIHAR
BHUBANESWAR - 751 021

**Present: Shri U. N. Behera, Chairperson
 Shri S. K. Parhi, Member**

Case No. 02/2019

Shri Suryamani Mishra	Petitioner
Vrs.		
SDO (Elect.), Dhamnagar, NESCO Utility & Others.....		Respondents

In the matter of: An application under Section 142 of the Electricity Act, 2003 for non-compliance of order dated 17.02.2018 of the GRF, Balasore passed in C.C. Case No. 15 of 2018.

For Petitioner: Suryamani Mishra.

For Respondent: Shri Saroj Kumar Behuria, Jr. Manager (Elect.), Dhamnagar.

ORDER

Date of hearing: 03.12.2019

Date of order: 20.12.2019

One Sri Suryamani Mishra, Akhuapada, Bhadrak has filed the above petition under Section 142 of the Electricity Act, 2003 for non-implementation of order dated 17.02.2018 of the GRF, Balasore passed in C.C. Case No.15 of 2018.

2. The petitioner submitted that NESCO Utility has raised bills from the date of installation of meter i.e. from 04.11.2000 to July, 2003 on defective basis though the meter status was OK till Dec, 2017. The petitioner had approached the concerned authority for revision of the erroneous bills but no fruitful action has been taken by the authority. Being aggrieved the petitioner moved the GRF, Balasore in C.C. Case No.15 of 2018 for revision of the said erroneous bills raised by the NESCO Utility. The learned GRF after hearing the parties and going through the records available with it vide their order dated 17.02.2018, has directed the respondent to recast the energy bills from 04.11.2000 to July, 2003 as per meter reading and revise the energy bills prior to year 2000 on the basis of load factor. As the above order of the GRF-Balasore has not been complied by the respondent, the petitioner has filed the present case for compliance of order dated 17.02.2018 of the GRF-Balasore passed in C.C. Case No. 15/2018.

3. The respondent-SDO, Dhamnagar in his reply has submitted that the petitioner wilfully and deliberately did not co-operate with the respondent for revision of the bills as per order of the GRF, Balasore. The SDO has issued two letters to the petitioner for submission of relevant documents for revision of his bills but after receiving said letters, the petitioner remained silent for which the respondent could not revise the bills. However, the bills of the petitioner have already been revised from Dec., 2001 to Sept., 2003 and the same has been reflected in the monthly bill of the petitioner. The respondent has revised the bills of the petitioner. Accordingly, an amount of Rs.15,445/- has been withdrawn from the bills of the petitioner.
4. Heard the parties at length. Since the Petitioner did not agree with the revision made by the Respondent, therefore, in our interim order dated 10.09.2019 we had directed both the parties to sit together for resolution of their difference. But said resolution could not be achieved. The Commission has noted that the implementation of order dated 17.02.2018 of the GRF-Balasore passed in C.C. Case No. 15/2018 has not been made to the satisfaction of the Petitioner though the Respondent has already revised the bills of the petitioner and withdrawn an amount of Rs.15,445/- which has also been intimated to him vide Letter No. 385 dated 31.08.2019.
5. The crux of the problem is that the GRF order has not been implemented to the satisfaction of the Petitioner though the Respondent claims that the order has been properly implemented. Therefore, the matter is remanded to GRF, Balasore and the said GRF shall verify whether their order has been implemented through revised bills. The Petitioner is directed to approach GRF, Balasore within 15 days of receipt of this order in this regard. The GRF, Balasore shall hear both the parties and give their findings. If GRF holds that their order has not been properly implemented, it shall spell out what exactly needs further to be implemented. The respondent shall act accordingly.
6. With this observation, the case is disposed of. The Registry is directed to send a copy of this order to GRF, Balasore along with the copy of the petition.

Sd/-
(S. K. Parhi)
Member

Sd/-
(U. N. Behera)
Chairperson